



21 FEB 2007

EDWARDS & ANGELL, LLP  
P.O. BOX 55874  
BOSTON MA 02205

In re Application of :  
MONSE et al. :  
Application No.: 10/532,263 : DECISION  
PCT No.: PCT/EP03/13322 :  
Int. Filing Date: 26 November 2003 :  
Priority Date: 27 November 2002 :  
Attorney Docket No.: 63249(50964) :  
For: N,N-BRIDGED, NITROGEN- :  
SUBSTITUTED CARBACYCLIC :  
INDOLOCARBAZOLES AS PROTEIN KINASE :  
INHIBITORS :

This is a decision on applicants' renewed petition under 37 CFR 1.47(a) filed 30 January 2007 in the United States Patent and Trademark Office (USPTO). Petitioner's request for a three month extension of time is granted.

### **BACKGROUND**

On 12 April 2005, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 12 September 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required. The NOTIFICATION set a two-month extendable period for response. Extensions of time were available under 37 CFR 1.136(a).

On 13 March 2006, applicant filed a petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, authorization to charge the petition fee to applicant's deposit account, a first hand statement of facts, a declaration by the joint inventors on behalf of the nonsigning inventor and a request for a four month extension of time (small entity).

On 31 August 2006, a decision dismissing the petition was mailed to applicant indicating that applicant had not provided factual proof that the missing joint inventor refused to execute the application or could not be reached after diligent effort and that the declaration is not in

compliance with 37 CFR 1.497(a)-(b).

On 30 January 2007, applicant filed ten declarations, each executed by a named inventor including the previously non-signing inventor, Hanno Roder.

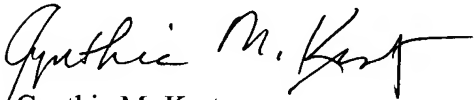
### DISCUSSION

In response to the decision mailed on 31 August 2006, Petitioner submitted a newly executed declarations from the previously nonsigning inventor Roder and his joint inventors. A review of the declarations indicate that they are in compliance with 37 CFR 1.497(a) and (b) and are acceptable.

### CONCLUSION

The renewed petition under 37 CFR 1.47(a) is **Dismissed as Moot**. The declarations submitted on 30 January 2007 are in compliance with 37 CFR 1.497(a) and (b) and are acceptable.

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is **30 January 2007**.



Cynthia M. Kratz  
Attorney Advisor  
PCT Legal Affairs  
Office of Patent Cooperation Treaty  
Legal Administration  
Telephone: (571) 272-3286  
Facsimile: (571) 273-0459